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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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In Re Anthony Michael Gioiosa, Sr.

Case No. 2:21-cv-01655-JAD-BNW

**ORDER**

Plaintiff submitted initiating documents to this Court on September 8, 2021. ECF No. 1. Plaintiff did not pay the filing fee for this case or file an application to proceed *in forma pauperis*.

If Plaintiff is unable to pay the filing fee in this case, Plaintiff must complete an application to proceed *in forma pauperis* under 28 U.S.C. § 1915(a)(1) and Local Special Rule (“LSR”) 1-1. If Plaintiff can pay the filing fee, he must do so.

Furthermore, Plaintiff must submit a complaint if he wants this case to proceed. The Court reviewed ECF No. 1-1 and ECF No. 3, the only two substantive documents submitted by Plaintiff. Even liberally construing these documents, it is impossible to understand what claims Plaintiff is attempting to bring and who Plaintiff is attempting to sue.

To help Plaintiff file a properly formatted complaint, the Court now advises Plaintiff of the following requirements under the Federal Rules of Civil Procedure. Plaintiff is also advised that failure to comply with these rules when drafting and filing his amended complaint may result in this action being dismissed.

First, Plaintiff is advised that he must specify which claims he is alleging against which defendants. Although the Federal Rules of Civil Procedure adopt a flexible pleading policy, Plaintiff still must give defendants fair notice of each of the claims he is alleging against each defendant. Specifically, he must allege facts showing how each named defendant is involved and the approximate dates of their involvement. Put another way, Plaintiff should tell the Court, in plain language, what each defendant did to him and when. “While legal conclusions can provide

1 the framework of a complaint, they must be supported with factual allegations.” *Ashcroft v. Iqbal*,  
2 556 U.S. 662, 679 (2009).


3 Second, Plaintiff’s amended complaint must be short and plain. The simpler and more  
4 concise Plaintiff’s complaint, the easier it is for the Court to understand and screen it. The Federal  
5 Rules also require this. Under Federal Rule of Civil Procedure 8, Plaintiff’s amended complaint  
6 must contain “a short and plain statement of the claim showing that [Plaintiff] is entitled to  
7 relief.” Fed. R. Civ. P. 8(a)(2). “Each allegation must be simple, concise, and direct.” Fed. R.  
8 Civ. P. 8(d)(1). “A party must state its claims or defenses in numbered paragraphs, each limited  
9 as far as practicable to a single set of circumstances.” Fed. R. Civ. P. 10(b). “[E]ach claim  
10 founded on a separate transaction or occurrence . . . must be stated in a separate count.” *Id.*

11 **IT IS THEREFORE ORDERED** that the Clerk of the Court must send Plaintiff the  
12 approved form application to proceed *in forma pauperis*, as well as the document titled  
13 “Information and Instructions for Filing an *In Forma Pauperis* Application.”

14 **IT IS FURTHER ORDERED** that the Clerk of Court must send Plaintiff a form  
15 complaint.

16 **IT IS FURTHER ORDERED** that, by March 8, 2022, Plaintiff must either: (1) file a  
17 complete application to proceed *in forma pauperis* in compliance with 28 U.S.C. § 1915(a)(1) and  
18 LRS 1-1; or (2) pay the full \$402 fee for a civil action, which includes the \$350 filing fee and the  
19 \$52 administrative fee. By March 8, 2022, Plaintiff must also file a complaint. Plaintiff is advised  
20 that failure to comply with this order will result in a recommendation that this case be dismissed.  
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22 DATED: February 16, 2022.

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25 Brenda Weksler  
26 United States Magistrate Judge  
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